

GOVERNANCE COMMITTEE

2 OCTOBER 2025

Present:

Councillors Bullivant (Chair), Henderson (Vice-Chair), Nutley, Clarence and Nuttall
Also present: Hazel Elliot, Independent Member

Members in Attendance:

Councillors MacGregor and Mullone

Apologies:

Councillors Palethorpe

Officers in Attendance:

Charlie Fisher, Democratic Services Manager and Deputy Monitoring Officer
Abbie Cook, Legal Assistant
Christopher Morgan, Trainee Democratic Services Officer
Maxine Valentine, Senior Legal Officer
Neil Blaney, Director of Place
Sarah Shervington, Digital Communications Officer

14. MINUTES

It was proposed by Councillor Clarence and seconded by Councillor Nuttall and

RESOLVED

That the minutes of the previous meeting be approved as a correct record and signed by the Chair.

15. DECLARATIONS OF INTEREST (IF ANY)

Councillor Bullivant declared a personal interest in agenda item 18 (FS-Case-636881192) as his son had been involved in a complaints dispute with the concerned Councillor. He stepped down as Chair for this item and was not involved in its consideration.

16. GOVERNANCE COMMITTEE TERMS OF REFERENCE

The Chair introduced this item to the Committee

It was proposed by Councillor Bullivant and seconded by Councillor Henderson and

RESOLVED

that the Governance Committee Terms of Reference that were agreed at Full Council on 29th July 2025 be noted.

17. DETERMINATION OF CODE OF CONDUCT COMPLAINTS (FS- CASE- 66476116)

The Chair, with the agreement of the Committee, brought the four code of conduct complaint cases forward to this point in the agenda.

It was proposed by Councillor Bullivant and seconded by Councillor Henderson and

RESOLVED

That the contents of the report be noted.

18. DETERMINATION OF CODE OF CONDUCT COMPLAINTS (FS-CASE- 689504213)

The Chair introduced the item to the Committee.

It was proposed by Councillor Bullivant and seconded by Councillor Henderson and

RESOLVED

That the contents of the report are noted and no further action is taken.

19. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC

It was proposed by Councillor Nuttall and seconded by Councillor Clarence and

RESOLVED

that the Press and Public be excluded from meeting of the particular items on the grounds that they involves the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12A of the Act.

20. DETERMINATION OF CODE OF CONDUCT COMPLAINTS (FS-CASE- 68664892, 689497898 AND 690478228)

The Chair introduced the item to the Committee.

The complaints concern the conduct of Councillor Macgregor at a private Members briefing and his communications to Officers following said briefing. The

complaints allege that both his conduct and complaints were contrary to the code of conduct.

The Chair invited the Councillor Macgregor to speak. He stated that he had provided his proposed apologies to the Monitoring Officer and that he had fully confessed to his actions but that he had not received any further response. He also noted that it had been 6 months since he provided this statement and that that the report did not go into details of certain emails provided as evidence.

It was proposed by Councillor Bullivant and seconded by Councillor Henderson and

RESOLVED

That the contents of the report are noted, that Councillor Macgregor provide a written apology, and that no further action is needed. Councillor Macgregor gave his approval for this outcome.

21. DETERMINATION OF CODE OF CONDUCT COMPLAINTS (FS-CASE-636881192)

Councillor Bullivant relinquished the Chair and Councillor Henderson acted as Chair for this item.

The complaint concerned a Facebook post by Councillor Mullone regarding the removal of security measures at Bradley Lane Mills. The complaint asserted that this post had brought the Council into disrepute.

The Chair invited Councillor Mullone to speak. He spoke on the need for free speech and Councillors' enhanced right to freedom of speech. The Free Speech Union had provided him with a letter of support which he circulated to Committee members. He also made reference to the Local Government and Social Care Ombudsman report from 2022 which outlined the need for the Council to always consider free speech under Article 10 of the Human Rights Act.

The Democratic Services Team Manager advised that there was a fine line between acceptable and not acceptable free speech. It was noted that there is conflicting case law on this subject.

It was proposed by Councillor Clarence and seconded by Councillor Nuttall and

RESOLVED

That although the committee recognised the validity of the complaint and that it was decided by the barrister that a breach had occurred, they considered the issue marginal and nuanced, and so no further action would be taken.

22. GOVERNANCE COMMITTEE MEETINGS

The Chair introduced the item to the Committee.

It was proposed by Councillor Nuttall and seconded by Councillor Nutley that the Governance Committee and

RESOLVED

That the Governance Committee meets quarterly in January, April, July and October.

23. ARRANGEMENTS UNDER THE CODE OF CONDUCT COMPLAINTS PROCEDURES

The Chair introduced the item to the Committee.

The Committee discussed the sanctions available if a complaint is upheld and that a Councillor would be able to speak at the discretion of the Chair should their case come before the Committee.

It was proposed by Councillor Nutley and seconded by Cllr Nuttall and

RESOLVED

That the arrangements under the Code of Conduct Complaints procedure that accompany the complaints process be approved.

24. PUBLICATION OF GOVERNANCE COMMITTEE INFORMATION AND WEBCASTING

The Chair introduced the item to the Committee.

It was proposed by Councillor Bullivant and seconded by Councillor Nuttall and

RESOLVED

That the following are approved:

1. Publication of an Annual Report of the Governance Committee which will be reported to the Annual Full Council Meeting.
2. A regular update of information about Code of Conduct Complaints is reported at Governance Committee meetings and that the Democratic Services Manager in consultation with the Chair of the Committee agree the format of this.
3. Webcasting (livestreaming) of Governance Committee meetings

25. CODE OF CONDUCT COMPLAINTS UPDATE

The Democratic Services Manager introduced the item to the Committee.

The Committee heard that there had been 9 new standards cases since the last Standards/Governance Committee meeting. This year there were currently 12

ongoing cases, 21 invalid cases, 3 required no further action, 2 were informally resolved, and 1 complaint was withdrawn.

In response to a question on common 'themes' of complaints, the Democratic Services Manager advised the Committee that most complaints related to Councillors and that they often covered the same issues.

In response to an additional question, the Legal Assistant clarified that no further action would be considered at stage four of the process, once the case is discussed with an Independent Person.

The Committee noted that there were frequent meetings with the Independent Persons and that officers had access to them if needed.

26. APPLICATION FOR DISPENSATIONS - DEVOLUTION AND LOCAL GOVERNMENT REORGANISATION

The Chair introduced the item to the Committee.

The Committee considered that there was significant importance to the rights of Councillors to debate the proposals for Local Government Reorganisation.

It was proposed by Councillor Bullivant and seconded by Councillor Henderson and

RESOLVED

That the following are approved as recommended in the report:

1. The granting of dispensations to the dual-hatted Devon County and Teignbridge District Council Members, and those Councillors who are also Members of Parliament, outlined in this report to enable them to discuss and vote on any matter relating to Devolution or Local Government Reorganisation in Devon. Such dispensations to take effect immediately.
2. The granting of dispensations to District Council members who are employed by or are a spouse/partner of an employee of another District or County Council in Devon to enable them to discuss and vote on any matter relating to devolution or local government re-organisation in Devon. Such dispensations to take effect immediately.
3. That the dispensations are approved on the basis that granting the dispensations is in the interests of persons living in the authority's area.
4. That the dispensations are granted until the next District Council elections, or until such time as the District Council ceases to exist, whichever event comes first.

27. MEMBER DEVELOPMENT STRATEGY

The Chair introduced the item to the Committee.

It was noted that Councillor training history would be made public in the future. Officers were aware that not all Members had been able to attend all training or briefing sessions and that recordings had been made available for some.

It was proposed by Councillor Bullivant and seconded by Councillor Henderson and

RESOLVED

That the Member Development Strategy be approved.

28. MEMBER TRAINING LOG

The Chair introduced the item to the Committee.

The log would also include the individual courses that Councillors had signed up to attend. As these were often paid for by the Council, the Councillors who attended these courses would be asked to feedback to the Council.

In response to a comment regarding attendance on site visits, it was considered that Planning Committee was the correct forum to highlight this information.

It was proposed by Councillor Bullivant and seconded by Councillor Henderson and

RESOLVED

That the Member Training Log be noted.

29. LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN ANNUAL LETTER 2025

The Chair introduced the item to the Committee. The letter highlighted the summary of work done in 2024-2025.

In response to a question, the Committee were informed that the Council had not had to pay out for the outcome of any Local Government Ombudsman cases for this year.

It was proposed by Councillor Bullivant and seconded by Councillor Henderson and

RESOLVED

That the Local Government and Social Care Ombudsman Annual Letter 2025 is noted.

30. CONSTITUTION REVIEW WORKING GROUP UPDATE

The Chair introduced the item to the Committee.

The Committee considered the potential of appointing substitutes to Governance Committee, in particular because of its smaller size and concerns around quorum. It was noted that the substitutes would have to received the same mandatory training as other Committee Members. This topic was due to be discussed by the Constitution Review Group.

The Committee also considered DBS checks for Councillors which were mandatory at other Councils. A full item on this would be included on the agenda for the next Committee meeting.

It was proposed by Councillor Bullivant and seconded by Councillor Henderson and

RESOLVED

That the Constitution Review Working Group update be noted.

The Committee thanked Officers and the Independent Person for attending.

The meeting started at 2.00 pm and finished at 3.05 pm.

CLLR P BULLIVANT
Chair